

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WESLEY CAMERON and
CHARLES MACMILLAN,

Defendants.

8:13CR319

**MOTION TO DISMISS
FORFEITURE ALLEGATION**

COMES NOW the Plaintiff, United States of America, and respectfully requests this Court dismiss the Forfeiture Allegation set forth in the Superseding Indictment filed herein. In support of this Motion, the Plaintiff respectfully shows the Court as follows:

1. Defendant, Charles MacMillan, plead guilty (Filing No. 96) to Count I of the Superseding Indictment.
2. Defendant, Wesley Cameron, by way of plea agreement, plead guilty (Filing No. 106) to Count I of the Superseding Indictment and agreed to plead to the Forfeiture Allegation.
3. The Forfeiture Allegation was not addressed at the Defendants' sentencings (Filing Nos. 125 and 137), nor in their Judgments (Filing Nos. 133 and 142).
4. Because the Forfeiture Allegation was not addressed at the Defendants' sentencings, the United States cannot complete the forfeiture of the items mentioned in the Forfeiture Allegation. The United States will, however, take those steps necessary to dispose of the items in a lawful manner.

WHEREFORE the Plaintiff, United States of America, respectfully requests this Court enter an Order to dismiss the Forfeiture Allegation of the Superseding Indictment.

UNITED STATES OF AMERICA,
Plaintiff

DEBORAH R. GILG
United States Attorney

By: *s/Nancy A. Svoboda*

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CERTIFICATE OF SERVICE

I hereby certify on March 15, 2016, I caused the foregoing to be electronically filed with the Clerk of the Court of the United States District Court for the District of Nebraska by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

s/Nancy A. Svoboda

NANCY A. SVOBODA
Assistant United States Attorney